

CONFERENCE COMMITTEE REPORT DIGEST FOR EHB 1563

Citations Affected: IC 14-8-2-167; IC 14-15; IC 14-21-1-20; IC 14-22; IC 25-39-5-1; IC 35-47-5-2; IC 35-51-14-1.

Synopsis: Natural resource matters. Conference committee report for EHB 1563. Amends the definition of "minnow" to include only those species of fish that the department of natural resources (DNR) determines by rule. Changes a provision concerning the carrying capacity for boats. Provides that a person operating a personal watercraft may not tow a person unless the total number of persons on the personal watercraft and those being towed is less than or equal to the capacity of the personal watercraft. Allows the director of DNR's designee to serve as a member of the historic preservation review board. Repeals certain prohibitions against the possession or use of a silencer while in the act of hunting. Allows the natural resources commission to set the hunting license fees to hunt certain birds. Establishes an expiration date for certain yearly hunting and fishing licenses. Removes provisions requiring nonresidents to purchase additional hunting licenses if the nonresident's state of residence requires the same of an Indiana resident. Provides that fees from special licenses to shoot on a shooting preserve are not required to be used by DNR to increase the upland game bird population. Changes the minimum application fee for a roe dealer's license from \$5,000 to \$1,000. Allows DNR to establish a date to submit a report of all purchases of furbearing mammals to DNR. Repeals a provision that prohibits a nonresident from certain field activities with a dog if Indiana residents are not permitted to do the same in the nonresident's state. Provides that animals regulated under shooting preserve regulations are exempt from importation permit requirements. Amends law concerning when an owner of a shooting range is liable for noise or noise pollution. Provides that a person who takes or possesses a deer or wild turkey: (1) unlawfully; (2) by illegal methods; or (3) with illegal devices; while using or possessing a silencer commits a Class C misdemeanor. Requires a nonresident of Indiana to acquire a special license to shoot on licensed shooting preserves in Indiana. Makes the fee for a special license equal to the fee for a resident annual hunting license. Requires DNR to issue the special licenses. Makes hunting on private land without the permission of the owner a Class B misdemeanor if the person does so while using or possessing a silencer. Removes a certain provision concerning when hunters must wear hunter orange. Reduces all hunter orange violations to a Class D infraction. Removes a provision that makes it a Class B misdemeanor for a person to manufacture, possess, display, offer, sell, lend, give away, or purchase certain knives with blades that open automatically. **(THIS CONFERENCE COMMITTEE REPORT: (1) adds SB 487 (as it passed the Senate) which**

establishes requirements for a special license to shoot on licensed shooting preserves in Indiana and provides that animals regulated under shooting preserve regulations are exempt from importation permit requirements; (2) adds SB 181 (as it passed the Senate) which removes a provision that makes it a Class B misdemeanor for a person to manufacture, possess, display, offer, sell, lend, give away, or purchase certain knives with blades that open automatically; and (3) makes technical corrections.)

Effective: July 1, 2013.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill No. 1563 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 14-8-2-167 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 167. "Minnow", for
- 4 purposes of IC 14-22, includes the ~~following:~~ **species of fish that the**
- 5 **department determines by rule.**
- 6 (1) ~~All of the fish of the minnow family (cyprinidae):~~
- 7 (2) ~~The young of all species of fish that are not protected by law.~~
- 8 SECTION 2. IC 14-15-3-23 IS AMENDED TO READ AS
- 9 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 23. A person may not
- 10 operate a ~~boat that is loaded with passengers or cargo beyond the boat's~~
- 11 ~~safe carrying capacity;~~ **or permit operation of a watercraft if a**
- 12 **reasonably prudent person would believe the total load aboard or**
- 13 **the total horsepower of any motor or engine of the watercraft**
- 14 **presents a risk of physical harm to persons or property,** having due
- 15 regard for the following:
- 16 (1) The type, construction, and condition or state of repair of the
- 17 boat.
- 18 (2) The conditions and hazards, actual and potential, then
- 19 existing, including weather and density of traffic.
- 20 SECTION 3. IC 14-15-12-7 IS AMENDED TO READ AS
- 21 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. A personal
- 22 watercraft shall not be used on public waters to tow individuals

engaged in waterskiing, aquaplaning, or similar activities, unless:

- (1) the personal watercraft is at least nine (9) feet long;
- (2) the personal watercraft is designed to seat at least three (3) individuals; ~~and~~
- (3) an individual other than the operator of the personal watercraft is aboard the personal watercraft, acting as an observer; **and**
- (4) the total number of persons on the watercraft and being towed is not more than the capacity of the watercraft.**

SECTION 4. IC 14-21-1-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 20. (a) The historic preservation review board is established.

(b) The review board consists of nine (9) members as follows:

- (1) The director **or the director's designee.**
- (2) At least five (5) individuals meeting minimum professional requirements established by the United States Department of the Interior in 36 CFR, Part 61, as in effect on January 1, 1984.
- (3) Professionals in the following disciplines:
 - (A) History.
 - (B) Prehistoric or historic archeology.
 - (C) Architecture or historical architecture.

(c) The division director is a nonvoting advisor to the review board entitled to attend and participate in the proceedings of all meetings of the review board.

(d) The director shall, with the concurrence of the governor, appoint the members of the review board under subsection (b)(2) and (b)(3) for terms of three (3) years. The terms shall be staggered so that the terms of two (2) or three (3) members expire each year. A member may be reappointed.

(e) Appointments to the review board shall be made in accordance with 36 CFR, Part 60, and 36 CFR, Part 61, as in effect on January 1, 1984.

SECTION 5. IC 14-22-6-11 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 41: (a) This section does not apply to an employee of the department; employee of a federal wildlife management agency; or individual who:~~

- ~~(1) is acting in the performance of the employee's or individual's duties; and~~
- ~~(2) has received the express written consent of the director for the employee's or individual's action.~~

~~(b) An individual may not:~~

- ~~(1) use or possess an apparatus designed for use with or on a firearm commonly called a silencer; or~~
- ~~(2) use or possess a device used as a silencer;~~

~~in Indiana while in the act of hunting.~~

SECTION 6. IC 14-22-7-4, AS AMENDED BY P.L.151-2012, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) An electronically generated stamp shall be issued to each hunting license applicant or holder upon request and the payment of a fee of six dollars and seventy-five cents (\$6.75). Each stamp expires on March 31 of the year following issuance.

1 **(b) The department may set a license fee to hunt a migratory**
 2 **waterfowl above the fee established under subsection (a).**

3 SECTION 7. IC 14-22-8-5, AS AMENDED BY P.L.225-2005,
 4 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2013]: Sec. 5. **(a)** An electronically generated stamp shall be
 6 issued to each hunting license applicant or holder upon request and the
 7 payment of a fee of six dollars and seventy-five cents (\$6.75). Each
 8 stamp expires on March 31 of the year following issuance.

9 **(b) The department may set a license fee to hunt a game bird**
 10 **above the fee established under subsection (a).**

11 SECTION 8. IC 14-22-11-4, AS AMENDED BY P.L.225-2005,
 12 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2013]: Sec. 4. (a) Except as provided in IC 14-22-13-9 and
 14 IC 14-22-15-3, each yearly hunting or fishing license expires on March
 15 31 ~~of the year~~ **immediately** following the ~~year in date on~~ which the
 16 license became effective.

17 (b) A yearly trapping license expires on March 31 ~~of the year~~
 18 **immediately** following the ~~year in date on~~ which the license became
 19 effective.

20 SECTION 9. IC 14-22-12-1, AS AMENDED BY P.L.165-2011,
 21 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2013]: Sec. 1. (a) The department may issue the following
 23 licenses individually or in combination and, except as provided in
 24 section 1.5 of this chapter and subject to subsection (b), shall charge
 25 the following minimum license fees to hunt, trap, or fish in Indiana:

26 (1) A resident yearly license to fish, eight dollars and seventy-five
 27 cents (\$8.75).

28 (2) A resident yearly license to hunt, eight dollars and
 29 seventy-five cents (\$8.75).

30 (3) A resident yearly license to hunt and fish, thirteen dollars and
 31 seventy-five cents (\$13.75).

32 (4) A resident yearly license to trap, eight dollars and seventy-five
 33 cents (\$8.75).

34 (5) A nonresident yearly license to fish, twenty-four dollars and
 35 seventy-five cents (\$24.75).

36 (6) A nonresident yearly license to hunt, sixty dollars and
 37 seventy-five cents (\$60.75).

38 (7) A nonresident yearly license to trap, one hundred seventeen
 39 dollars and seventy-five cents (\$117.75). ~~However, a license may~~
 40 ~~not be issued to a resident of another state if that state does not~~
 41 ~~give reciprocity rights to Indiana residents similar to those~~
 42 ~~nonresident trapping privileges extended in Indiana.~~

43 (8) A resident or nonresident license to fish, including for trout
 44 and salmon, for one (1) day only, four dollars and seventy-five
 45 cents (\$4.75).

46 (9) A nonresident license to fish, excluding for trout and salmon,
 47 for seven (7) days only, twelve dollars and seventy-five cents
 48 (\$12.75).

49 (10) A nonresident license to hunt for five (5) consecutive days
 50 only, twenty-five dollars and seventy-five cents (\$25.75).

- 1 (11) A resident or nonresident yearly stamp to fish for trout and
2 salmon, six dollars and seventy-five cents (\$6.75).
- 3 (12) A resident yearly license to take a deer with a shotgun,
4 muzzle loading gun, rifle, or handgun, thirteen dollars and
5 seventy-five cents (\$13.75).
- 6 (13) A resident yearly license to take a deer with a muzzle loading
7 gun, thirteen dollars and seventy-five cents (\$13.75).
- 8 (14) A resident yearly license to take a deer with a bow and
9 arrow, thirteen dollars and seventy-five cents (\$13.75).
- 10 (15) A nonresident yearly license to take a deer with a shotgun,
11 muzzle loading gun, rifle, or handgun, one hundred twenty dollars
12 and seventy-five cents (\$120.75).
- 13 (16) A nonresident yearly license to take a deer with a muzzle
14 loading gun, one hundred twenty dollars and seventy-five cents
15 (\$120.75).
- 16 (17) A nonresident yearly license to take a deer with a bow and
17 arrow, one hundred twenty dollars and seventy-five cents
18 (\$120.75).
- 19 (18) A resident license to take an extra deer by a means, in a
20 location, and under conditions established by rule adopted by the
21 department under IC 4-22-2, five dollars (\$5).
- 22 (19) A nonresident license to take an extra deer by a means, in a
23 location, and under conditions established by rule adopted by the
24 department under IC 4-22-2, ten dollars (\$10).
- 25 (20) A resident yearly license to take a turkey, fourteen dollars
26 and seventy-five cents (\$14.75).
- 27 (21) A nonresident yearly license to take a turkey, one hundred
28 fourteen dollars and seventy-five cents (\$114.75). ~~However, if the~~
29 ~~state of residence of the nonresident applicant requires that before~~
30 ~~a resident of Indiana may take turkey in that state the resident of~~
31 ~~Indiana must also purchase another license in addition to a~~
32 ~~nonresident license to take turkey, the applicant must also~~
33 ~~purchase a nonresident yearly license to hunt under this section.~~
34 (22) A resident license to take an extra turkey by a means, in a
35 location, and under conditions established by rule adopted by the
36 department under IC 4-22-2, fourteen dollars and seventy-five
37 cents (\$14.75).
- 38 (23) A nonresident license to take an extra turkey by a means, in
39 a location, and under conditions established by rule adopted by
40 the department under IC 4-22-2, one hundred fourteen dollars and
41 seventy-five cents (\$114.75). ~~However, if the state of residence of~~
42 ~~the nonresident applicant requires that before a resident of~~
43 ~~Indiana may take a turkey in that state the resident of Indiana~~
44 ~~must also purchase another license in addition to a nonresident~~
45 ~~license to take a turkey, the applicant must also purchase a~~
46 ~~nonresident yearly license to hunt under this section.~~
47 (24) A resident youth yearly consolidated license to hunt, trap,
48 and fish, six dollars (\$6). This license is subject to the following:
49 (A) An applicant must be less than eighteen (18) years of age.
50 (B) The license is in lieu of the resident yearly license to hunt,

- 1 trap, and fish and all other yearly licenses, stamps, or permits
 2 to hunt, trap, and fish for a specific species or by a specific
 3 means.
- 4 (25) A nonresident youth yearly license to hunt, seventeen dollars
 5 (\$17). The applicant must be less than eighteen (18) years of age.
- 6 (26) A nonresident youth yearly license to trap, seventeen dollars
 7 (\$17). The applicant must be less than eighteen (18) years of age.
- 8 (27) A nonresident youth yearly license to take a turkey,
 9 twenty-five dollars (\$25). The applicant must be less than
 10 eighteen (18) years of age. ~~However, if the state of residence of~~
 11 ~~the nonresident applicant requires that before a resident of~~
 12 ~~Indiana may take a turkey in that state the resident of Indiana~~
 13 ~~must also purchase another license in addition to a nonresident~~
 14 ~~license to take a turkey; the applicant must also purchase a~~
 15 ~~nonresident youth yearly license to hunt under this section:~~
- 16 (28) A nonresident youth license to take an extra turkey by a
 17 means, in a location, and under conditions established by rule
 18 adopted by the department under IC 4-22-2, twenty-five dollars
 19 (\$25). The applicant must be less than eighteen (18) years of age.
 20 ~~However, if the state of residence of the nonresident applicant~~
 21 ~~requires that before a resident of Indiana may take a turkey in that~~
 22 ~~state the resident of Indiana must also purchase another license in~~
 23 ~~addition to a nonresident license to take a turkey; the applicant~~
 24 ~~must also purchase a nonresident youth yearly license to hunt~~
 25 ~~under this section:~~
- 26 (29) A nonresident youth yearly license to take a deer with a
 27 shotgun, muzzle loading gun, or rifle, twenty-four dollars (\$24).
 28 The applicant must be less than eighteen (18) years of age.
- 29 (30) A nonresident youth yearly license to take a deer with a
 30 muzzle loading gun, twenty-four dollars (\$24). The applicant
 31 must be less than eighteen (18) years of age.
- 32 (31) A nonresident youth yearly license to take a deer with a bow
 33 and arrow, twenty-four dollars (\$24). The applicant must be less
 34 than eighteen (18) years of age.
- 35 (32) A nonresident youth license to take an extra deer by a means,
 36 in a location, and under conditions established by rule adopted by
 37 the department under IC 4-22-2, twenty-four dollars (\$24). The
 38 applicant must be less than eighteen (18) years of age.
- 39 (33) A resident senior yearly license to fish, three dollars (\$3).
 40 This license is subject to the following:
- 41 (A) An applicant must be at least sixty-four (64) years of age
 42 and born after March 31, 1943.
- 43 (B) The license is in lieu of the resident yearly license to fish
 44 and all other yearly licenses, stamps, or permits to fish for a
 45 specific species or by a specific means.
- 46 (34) A resident senior "fish for life" license, seventeen dollars
 47 (\$17). This license is subject to the following:
- 48 (A) An applicant must be at least sixty-four (64) years of age
 49 and must have been born after March 31, 1943.
- 50 (B) The license applies each year for the remainder of the

- 1 license holder's life.
- 2 (C) The license is in lieu of the resident senior yearly license
- 3 to fish and all other yearly licenses, stamps, or permits to fish
- 4 for a specific species or by a specific means.
- 5 (35) A voluntary resident senior yearly license to fish, three
- 6 dollars (\$3). This license is subject to the following:
- 7 (A) An applicant must have been born before April 1, 1943.
- 8 (B) The license is instead of the resident yearly license to fish
- 9 and all other yearly licenses, stamps, and permits to fish for a
- 10 specific species or by a specific means.
- 11 (b) The commission may set license fees to hunt, trap, or fish above
- 12 the minimum fees established under subsection (a).
- 13 (c) In addition to the license fees set under this section, the
- 14 department shall establish a procedure to collect voluntary donations
- 15 for processing wild game when a hunting license is sold. The minimum
- 16 suggested donation must be one dollar (\$1). The money collected under
- 17 this section shall be deposited in the Indiana sportsmen's benevolence
- 18 account (IC 14-9-5-4).
- 19 SECTION 10. IC 14-22-12-2 IS AMENDED TO READ AS
- 20 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. **Except for a license**
- 21 **sold under IC 14-22-31-8**, the department shall use the following to
- 22 increase the upland game bird population in Indiana:
- 23 (1) Four dollars (\$4) from the cost of every nonresident license to
- 24 hunt any game for any period in any manner.
- 25 (2) Forty dollars (\$40) from the cost of every nonresident license
- 26 to hunt deer for any period in any manner.
- 27 SECTION 11. IC 14-22-13-2.5, AS AMENDED BY P.L.151-2012,
- 28 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 29 JULY 1, 2013]: Sec. 2.5. (a) This section applies to the harvest or sale
- 30 of the following roe bearing species:
- 31 (1) Shovelnose sturgeon.
- 32 (2) Paddlefish.
- 33 (3) Bowfin.
- 34 (b) For the purpose of this subsection, "roe" means the eggs or
- 35 gametes of a fish listed in subsection (a).
- 36 (c) An individual may not harvest, possess, or sell roe without a
- 37 license issued under this section.
- 38 (d) The department may issue to an individual who is a resident or
- 39 nonresident of Indiana a license to harvest, possess, and sell the roe
- 40 under rules adopted under IC 4-22-2. The individual must leave the roe
- 41 intact and inside the body of the fish while on the body of water or
- 42 adjacent to the water being fished, and until processing begins in
- 43 accordance with 21 CFR 123. The individual must sell the roe only to
- 44 a roe dealer licensed by the department. The department shall limit the
- 45 number of licenses that are available.
- 46 (e) The department may issue a person a roe dealer's license to
- 47 purchase, process, and sell roe. A person may not transport roe outside
- 48 Indiana except according to the terms of a license issued under this
- 49 subsection.
- 50 (f) The following are the minimum application fees for these

licenses:

(1) Resident and nonresident roe harvester's license for harvesting on the Ohio River, one thousand dollars (\$1,000).

(2) Resident roe harvester's license for harvesting on inland water of Indiana, one thousand dollars (\$1,000).

(3) Roe dealer's license, ~~five one~~ thousand dollars ~~(\$5,000)~~; **(\$1,000).**

(g) The commission may set license fees above the minimum fees established under subsection (f). The amount may not be more than is reasonably necessary to generate revenue sufficient to offset the costs incurred by the department in carrying out its responsibilities under this chapter.

(h) The department shall give priority in issuing licenses under this section to applicants who are residents of Indiana.

SECTION 12. IC 14-22-19-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. Every licensed fur buyer ~~shall, within sixty (60) days from the last day of the open season for taking or killing furbearing mammals, shall~~ make a report in writing to the department of all purchases of furbearing mammals made during the preceding open season ~~and by the grace period. date established by the department.~~

SECTION 13. IC 14-22-24-5 IS REPEALED [EFFECTIVE JULY 1, 2013]. ~~Sec. 5. A nonresident of Indiana may not train, work, or exercise a dog in Indiana at any time that Indiana residents are not permitted to train, work, or exercise a dog in the nonresident's state.~~

SECTION 14. IC 14-22-25-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. This chapter does not apply to the following:

(1) Animals imported into Indiana for the purpose of being confined and exhibited in a zoo or other public display of animals.

(2) Other animals that the department designates.

(3) Animals regulated under IC 14-22-31-7.

SECTION 15. IC 14-22-31-8, AS AMENDED BY P.L.151-2012, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. **(a)** An individual may not take game birds and exotic mammals on a shooting preserve unless the individual has a hunting license required under this article, **except nonresidents of Indiana, who must possess a special license issued by the department under this section to shoot on licensed shooting preserves.**

(b) The department:

(1) shall issue special licenses described in subsection (a); and

(2) may appoint owners or managers of shooting preserves as agents to sell the special licenses.

(c) A special license expires April 30 immediately following the date the license is effective.

(d) The fee for a special license issued under this section is equal to the fee for a resident annual hunting license under IC 14-22-12-1(a)(2). All fees collected under this section shall be deposited in the fish and wildlife fund.

SECTION 16. IC 14-22-31.5-6 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. A person who owns, operates, or uses a shooting range is not liable in any civil or criminal matter relating to noise or noise pollution that results from the ~~normal~~ operation or use of the shooting range if the **construction and operation of the** shooting range ~~complies with a law or an ordinance that applied to the shooting range and its operation at the time of the construction or initial operation of the shooting range; if such a law or ordinance was in existence at the time of the construction or initial operation of the shooting range; were legal at the time of its initial construction or initial operation, and the shooting range continues to operate in a manner that would have been legal at the time of the inception or initial operation.~~

SECTION 17. IC 14-22-38-4, AS AMENDED BY P.L.2-2008, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) A person who:

- (1) unlawfully takes or possesses a deer or wild turkey;
- (2) takes or possesses a deer or wild turkey by illegal methods or with illegal devices; or
- (3) except as provided in subsections (c) and (d), sells, offers to sell, purchases, or offers to purchase a deer or wild turkey or a part of a deer or wild turkey;

shall reimburse the state five hundred dollars (\$500) for the first violation and one thousand dollars (\$1,000) for each subsequent violation.

(b) The money shall be deposited in the conservation officers fish and wildlife fund. This penalty is in addition to any other penalty under the law.

(c) Notwithstanding section 6 of this chapter, if a properly tagged deer is brought to a meat processing facility and the owner of the deer:

- (1) fails to pick up the processed deer within a reasonable time; or
- (2) notifies the meat processing facility that the owner does not want the processed deer;

the deer meat may be given away by the meat processing facility to another person. The meat processing facility may charge the person receiving the deer meat a reasonable and customary processing fee.

(d) Notwithstanding section 6 of this chapter, deer meat and products from farm raised deer that meet the requirements under IC 15-17 may be sold to the public.

(e) In addition to being liable for the reimbursement required under subsection (a), a person who recklessly, knowingly, or intentionally violates subsection (a)(1) or (a)(2) while using or possessing:

- (1) a sound suppressor designed for use with or on a firearm, commonly called a silencer; or**
- (2) a device used as a silencer;**

commits unlawful hunting while using or possessing a silencer, a Class C misdemeanor.

SECTION 18. IC 14-22-38-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 4.5. A person who recklessly,**

1 knowingly, or intentionally:

- 2 (1) violates IC 14-22-10-1(1) by hunting on privately owned
 3 land without the consent of the owner or tenant; and
 4 (2) while committing the violation described in subdivision (1),
 5 uses or possesses:

6 (A) a sound suppressor designed for use with or on a
 7 firearm, commonly called a silencer; or

8 (B) a device used as a silencer;

9 commits unauthorized hunting on private land while using or
 10 possessing a silencer, a Class B misdemeanor.

11 SECTION 19. IC 14-22-38-7 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) As used in this
 13 section, "hunter orange" means a daylight fluorescent orange with the
 14 dominant wavelength 595-605 nm, a purity of not less than eighty-five
 15 percent (85%), and a luminance factor of not less than forty percent
 16 (40%).

17 (b) As used in this section, "wear hunter orange" means to expose
 18 on one's person as an outer garment one (1) or more of the following
 19 articles of clothing that are solid hunter orange in color:

- 20 (1) A vest.
 21 (2) A coat.
 22 (3) A jacket.
 23 (4) Coveralls.
 24 (5) A hat.
 25 (6) A cap.

26 However, articles of clothing specified under this section with logos,
 27 patches, insignia, or printing that does not substantially hinder the
 28 visibility of the hunter orange material are allowed under this section.

29 (c) This subsection applies only during the season when hunting by
 30 firearms (as defined in IC 14-22-40-3) is permitted under 312 IAC. A
 31 person who hunts for:

- 32 (1) deer by firearm or bow and arrow;
 33 (2) cottontail rabbit;
 34 (3) squirrel, unless from a boat, during the period:
 35 (A) beginning on the first Friday that follows November 3; and
 36 (B) ending on January 31 of the following year;
 37 (4) woodcock;
 38 (5) pheasant;
 39 (6) quail; or
 40 (7) ruffed grouse;

41 must wear hunter orange:

42 (d) (c) A person who violation of violates this section is the
 43 requirement to wear hunter orange or display hunter orange on an
 44 occupied ground blind as specified in 312 IAC 9 commits a Class D
 45 infraction.

46 SECTION 20. IC 25-39-5-1 IS AMENDED TO READ AS
 47 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. A person who
 48 recklessly, knowingly, or intentionally acts as a water well driller or
 49 a water well pump installer without a license in violation of this
 50 article commits a Class B misdemeanor.

51 SECTION 21. IC 35-47-5-2 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. It is a Class B misdemeanor for a person to manufacture, possess, display, offer, sell, lend, give away, or purchase any knife with a **detachable** blade that
 (1) ~~opens automatically~~; or
 (2) may be ~~propelled~~ **ejected from the handle as a projectile** by ~~hand pressure applied to a button; device containing means of gas,~~ a spring, or **any** other device **contained** in the handle of the knife.

SECTION 22. IC 35-51-14-1, AS AMENDED BY P.L.40-2012, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The following statutes define crimes in IC 14:

- IC 14-9-8-19 (Concerning the department of natural resources).
- IC 14-15-3-31 (Concerning watercraft).
- IC 14-15-4-4 (Concerning watercraft accidents).
- IC 14-15-9-8 (Concerning divers).
- IC 14-15-11-11 (Concerning motorboat operators).
- IC 14-15-12-13 (Concerning personal watercraft).
- IC 14-16-1-29 (Concerning off-road vehicles).
- IC 14-17-4-8 (Concerning property acquisition).
- IC 14-21-1-16 (Concerning historic preservation and archeology).
- IC 14-21-1-26 (Concerning historic preservation and archeology).
- IC 14-21-1-26.5 (Concerning historic preservation and archeology).
- IC 14-21-1-27 (Concerning historic preservation and archeology).
- IC 14-21-1-28 (Concerning historic preservation and archeology).
- IC 14-21-1-36 (Concerning historic preservation and archeology).
- IC 14-21-2-5 (Concerning historic preservation and archeology).
- IC 14-22-13-10 (Concerning commercial fishing licenses).
- IC 14-22-17-4 (Concerning fish and wildlife).
- IC 14-22-32-3 (Concerning fish and wildlife).
- IC 14-22-34-12 (Concerning fish and wildlife).
- IC 14-22-37-2 (Concerning fish and wildlife).
- IC 14-22-37-3 (Concerning fish and wildlife).
- IC 14-22-38-1 (Concerning fish and wildlife).
- IC 14-22-38-3 (Concerning fish and wildlife).
- IC 14-22-38-4 (Concerning fish and wildlife).**
- IC 14-22-38-4.5 (Concerning fish and wildlife).**
- IC 14-22-38-6 (Concerning fish and wildlife).
- IC 14-22-40-6 (Concerning fish and wildlife).
- IC 14-23-7-5 (Concerning forestry).
- IC 14-24-11-4 (Concerning entomology and plant pathology).
- IC 14-26-7-8 (Concerning lakes and reservoirs).
- IC 14-27-6-52 (Concerning levees, dams, and drainage).
- IC 14-29-8-5 (Concerning rivers, streams, and waterways).
- IC 14-31-3-15 (Concerning nature preserves).
- IC 14-31-3-16 (Concerning nature preserves).
- IC 14-31-3-17 (Concerning nature preserves).
- IC 14-31-3-19 (Concerning nature preserves).
- IC 14-31-3-20 (Concerning nature preserves).
- IC 14-31-3-21 (Concerning nature preserves).
- IC 14-34-2-6 (Concerning surface coal mining and reclamation).

- 1 IC 14-34-16-6 (Concerning surface coal mining and reclamation).
 - 2 IC 14-34-16-7 (Concerning surface coal mining and reclamation).
 - 3 IC 14-37-13-6 (Concerning oil and gas).
- (Reference is to EHB 1563 as printed March 20, 2013.)

Conference Committee Report
on
Engrossed House Bill 1563

Signed by:

Representative Eberhart
Chairperson

Senator Yoder

Representative Kersey

Senator Young R

House Conferees

Senate Conferees